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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Pittenger, et al.  
SERIAL NO: 10/690, 435  
FILED: October 21, 2003  
EXAMINER: Sajjadi ART UNIT: 1633  
FOR: Cardiac Muscle Regeneration Using Mesenchymal Stem Cells  
ATTY DKT NO.: 640100.470 CUSTOMER NO.: 27162

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

Pursuant to 37 C.F.R. §1.56(a), Applicant(s) hereby cite(s) the enclosed documents listed on the attached copy of Form PTO-1449, which may be material to the patentability of the above-identified application. Applicant(s) make no admission that the cited references are prior art or that these references are in fact material to the patentability of the above-entitled application.

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR §1.97 indicated below:

\_\_\_§1.97(b) This Information Disclosure Statement is filed:

- (1) Within three months of the filing date of a national application; OR
- (2) Within three months of the date of entry of the national stage of an international application; OR
- (3) Before the mailing of a first Office Action on the merits. No fee or statement is required.

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X   §1.97(c) This Information Disclosure Statement is filed after the period specified in paragraph (b) above, but before the mailing date of either:

- (1) A Final Action or under 37 CFR §1.113; OR
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is accompanied by either: (check one)

       The statement as specified in 37 CFR §1.97(e) set out below; OR

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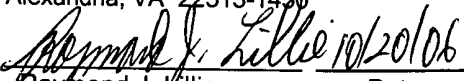
The Examiner is respectfully requested to consider and make of record all of the cited documents.

The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

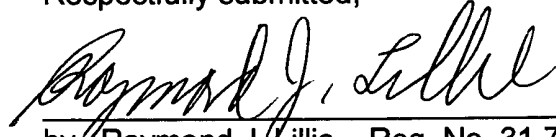
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Raymond J. Lillie      Date

Respectfully submitted,



by Raymond J. Lillie, Reg. No. 31,778  
Attorney for Applicants

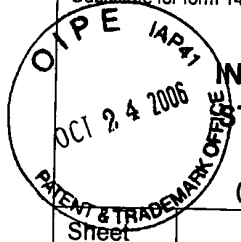
CARELLA, BYRNE, BAIN, GILFILLAN,  
CECCHI, STEWART & OLSTEIN

5 Becker Farm Road  
Roseland, NJ 07068

Tel: (973)994-1700

Fax: (973)994-1744

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/690, 435
Filing Date	10/21/03
First Named Inventor	Pittenger
Group Art Unit	1633
Examiner Name	Sajjadi
Attorney Docket Number	640100-470

**U.S. PATENT DOCUMENTS**

Examiner Initial*	Cite No. <sup>1</sup>	Document Number Number-Kid Code <sup>2</sup> (if known)	Publication- Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-5, 225, 914	07/13/1993	Caplan, et al.	
		US-5, 591, 625	01/07/1997	Gerson, et al	
		US-6, 099, 832	08/08/2000	Mickle, et al.	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initial*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication- Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

Examiner Signature

Date Considered

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		Application Number	10/690, 435		
		Filing Date	10/21/03		
		First Named Inventor	Pittenger		
		Group Art Unit	1633		
Examiner Name	Sajjadi				
Sheet		Of		Attorney Docket Number	640100-470

<b>NON PATENT LITERATURE DOCUMENTS</b>
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Examiner Initial*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Verma, et al. <u>Nature</u> , Vol. 389, pgs. 239 - 242 (1997)	
		Orkin, Report and Recommendations of the Panel to Assess the NIH Investment in Research on Gene Therapy, December 7, 1995.	
		Robinson, et al. Implantation of Skeletal Myoblast-Derived Cells in <u>Cellular Cardiomyoplasty</u> , pgs. 81 - 107 (1997)	
		Bruder, et al., <u>J. Cell Biochem.</u> , Vol. 56pgs. 283-294 (1994)	
		Warejcka, et al., <u>J. Surg. Res.</u> , Vol. 62, pgs. 233-242 (1996)	
		Krebsbach, et al., <u>Transplantation</u> , Vol. 63, pgs. 1059 - 1069 (April 27, 1997)	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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